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10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA

12 UNITED STATES OF AMERICA,) No.: CR 05-⁰⁵⁰⁷~~00167~~ WHA
13 Plaintiff,) STIPULATION AND ORDER
14 v.) CONTINUING DATES FOR HEARING
15)
16 BERNARD THOMAS, JR.,)
Defendant.)
17) San Francisco Venue

18
19 STIPULATION

20 IT IS HEREBY STIPULATED by and between the parties, through their undersigned
21 counsel that:

22 1. The parties have been in communication concerning defendant's motion for
23 discovery and disclosure of exculpatory evidence. The parties have also been engaged in on-
24 going settlement discussions. Based on these discussions, the defendant has agreed to a
25 continuance of the motion until January 31, 2005, at 2:00 p.m.

26 3. Accordingly, the hearing date on defendant's motion, currently scheduled for

December 12, 2005 at 2:00 p.m., should be continued to **January 31, 2006, at 2:00 p.m.**

DATED: KEVIN V. RYAN
United States Attorney

12/9/05 /S/
PHILIP J. KEARNEY
RICHARD J. CUTLER
Assistant United States Attorney

DATED: 12/9/05 /S/
ELENA CONDES
Counsel for defendant BERNARD THOMAS, JR.

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STIPULATION AND ORDER
CONTINUING DATES

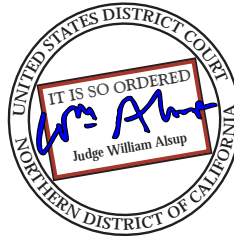
ORDER

Based upon the above Stipulation, and for good cause appearing, THE COURT HEREBY
ORDERS THAT:

The hearing date on defendant's motion for discovery and disclosure of
exculpatory evidence is continued to **January 31, 2005, at 2:00 p.m.**

SO ORDERED.

DATED: December 9, 2005



HON. WILLIAM ALSUP
United States District Judge